

Sixth Appellate District

San Jose, California

MONDAY, OCTOBER 20, 1997

H015048 PEOPLE v. WILLIAMS

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Premo, J.)  
Filed October 20, 1997

H016952 PEOPLE v. AGUILAR

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed October 20, 1997

H016040 PEOPLE v. ALIG

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 20, 1997

H014730 COLEMAN, et al. v. SANTA CLARA COUNTY OPEN SPACE  
AUTHORITY, et al.

The judgment is affirmed. Costs are awarded to respondent  
OSA. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed October 20, 1997

H015661 PEOPLE v. GOMEZ

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed October 20, 1997

H015391 PEOPLE v. LORSBOUGH

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 20, 1997

H015104 PEOPLE v. BARRA

Defendant's Vehicle Code section 2800.1 conviction is hereby  
stricken, and the concurrent term imposed for his Vehicle Code  
section 2800.2 conviction is ordered stayed pursuant to Penal  
Code section 654. The trial court is ordered to amended the  
abstract of judgment to reflect these modifications and forward a  
copy of the amended abstract to the Department of Corrections.  
The modified judgment is affirmed. (not published)  
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)  
Filed October 20, 1997

TUESDAY, OCTOBER 21, 1997

The Court met in its courtroom at 333 West Santa Clara  
Street, Suite 1060, San Jose, California. Present: Bamattre-

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Manoukian, J.; Cottle, P.J., Premo, J.; and Judy Son, Deputy  
Clerk.

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Tuesday, October 21, 1997 (continued)

H016002 PEOPLE v. HYUNG JOON KIM

Cause called and argued by Eric Liberman, appearing for appellant and by David D. Salmon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016859 CRYSTAL R., et al. v. SUPERIOR COURT OF SANTA CRUZ COUNTY; COLLEEN C., et al.

Cause called and argued by Shannon Sullivan appearing for petitioners and by Marta Cadloni appearing for real parties in interests. Cause ordered submitted.

H015686 HOWARD JARVIS TAXPAYERS ASSOCIATION, et al. v. COUNTY OF SANTA CLARA, et al.

Cause called and argued by Jonathan Coupal appearing for appellants and by Linda Deacon appearing for respondent. Cause ordered submitted. Court recesses until the 1:30 p.m. calendar.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Premo, J., Bamattre-Manoukian, J.; and David T. Clark, Deputy Clerk.

H015966 TORREZ v. CONSOLIDATED FREIGHTWAYS CORPORATION

Cause called and argued by John Boggs appearing for appellant and by Peter MacLaren appearing for respondent. Cause ordered submitted. Premo, J. leaves the bench and Mihara, J. takes the bench.

H015515 PEOPLE v. PERALEZ

Cause called and argued by Victor Morse appearing for appellant and by Amy Haddix, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016046 VINCENCIO, et al. v. PERRIEN

Cause called and argued by Lawrence M Einhorn appearing for appellants and by Diane E. Baylor appearing for respondent. Cause ordered submitted. Court is adjourned.

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WEDNESDAY, OCTOBER 22, 1997

H014949 PEOPLE v. SERMENO

The probation condition requiring defendant's participation in academic training in English is stricken. In all other respects, the judgment is affirmed. The California Department of Corrections is ordered to show cause why defendant's petition for writ of habeas corpus should not be granted on the grounds of ineffective assistance of counsel and newly discovered evidence. A formal written return shall be served and filed with the Santa Clara County Superior Court within one month of the issuance of the remittitur in this case. (not published)

(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)

Filed October 22, 1997

H015835 CENTURY 21 SHOWCASE REALTY, et al. v. DOUGHERTY, et al.;  
NEWMAN, et al.

By the Court\*:

Appellants' petition for rehearing is denied.

Dated October 22, 1997 Elia, Acting P.J.

\*Before Elia, Acting P.J., Wunderlich, J., and Mihara, J.

THURSDAY, OCTOBER 23, 1997

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and Nancy M. Olea, Deputy Clerk.

H015616 ARELLANO v. ARELLANO

Cause called and argued by William L. Garfield appearing for appellant and by David R. Finch appearing for respondent. Cause ordered submitted.

H015039 CHARLES v. CHAEZ

Cause called and argued by Robert Sturges appearing for appellant and by Federico Sayre appearing for respondents. Cause ordered submitted. Court is adjourned.

H016342 SURACI v. COUNTY OF SANTA CRUZ

The judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed October 23, 1997

H016174 IN RE AUSTIN L.; D.F.C.S. v. MICHELLE L.

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)

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Thursday, October 23, 1997 (continued)

H016443 PEOPLE v. LINSON

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 23, 1997

H016308 PEOPLE v. DICKENS

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 23, 1997

H013671 PEOPLE v. HILL

Defendant's misdemeanor conviction for concealing and/or destroying evidence is reversed. The clerk of the superior court is directed to modify the judgment to reflect an acquittal on that charge. As modified, the judgment is vacated and the matter remanded for the court to consider whether to exercise its discretion to strike defendant's prior conviction. If it chooses to do so, then it shall resentence defendant and enter a new judgment; if it elects not to do so, then it shall reinstate the judgment as modified. (partial publication)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed October 23, 1997

FRIDAY, OCTOBER 24, 1997

H015613 PEOPLE v. WHITE

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 24, 1997

H014861 PEOPLE v. BOSLEY

The probation condition prohibiting conception until defendant has effectively dealt with her drug problem is stricken. As modified, the judgment is affirmed. Upon remand, the trial court shall correct its records. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed October 24, 1997

H015466 PEOPLE v. VALDOVINOS

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed October 24, 1997

H016006 ELLER v. CALIFORNIA CAPITAL INSURANCE COMPANY, et al.

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

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Friday, October 24, 1997 (continued)

H016097 PEOPLE v. JASON J., A MINOR

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed October 24, 1997

H016238 PEOPLE v. BRIAN LYNN JACKMAN

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed October 24, 1997